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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/988,753	11/20/2001	Toshio Yamagiwa	0505-0904P	9105
2292	7590	04/21/2004	EXAMINER	
BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747			GOINS, DAVETTA WOODS	
			ART UNIT	PAPER NUMBER
			2632	6
DATE MAILED: 04/21/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/988,753

Applicant(s)

YAMAGIWA ET AL.

Examiner

Davetta W. Goins

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1,2,4-8,10-14 and 16-18 is/are rejected.
- 7) ☒ Claim(s) 3,9 and 15 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 4.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Allowable Subject Matter

1. Claims 3, 9, and 15 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1, 4-7, 10-13, and 16-18 are rejected under 35 U.S.C. 102(e) as being anticipated by Cormier, Sr. (US Pat. 6,011,463).

In reference to claims 1, 7, 13, Cormier discloses the claimed air valve for introducing air into a tire, an end of a hollow member being operatively connected to the air valve, a detecting and transmitting unit for detecting an air pressure in the tire and transmitting pressure information out of the detecting and transmitting unit, the detecting and transmitting unit being connected to a distal end of the hollow member, the detecting and transmitting unit being operatively attached to the hub of a wheel portion, which is met by a single wheel transmitter 10 in which the

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transmitter 10 is connected to a conventional tire valve 20 via a tee-fitting 25 and a first connection hose 30. The single rim wheel transmitter 10 is held in position on the single hub tire 15; the connection hose 30 and second connection hose 50 connect into a steel housing 60 and convey the respective air pressure signals from the tires (col. 5, lines 25-67).

In reference to claims 4, 10, 16, Cormier discloses the claimed detecting and transmitting unit including a pressure sensor for determining the pressure within the tire, which is met by both the first connection hose 30 and the second connection hose 50 connect into a stamped steel housing 60 and convey the respective air pressure signals from the tires (col. 5, lines 58-65).

In reference to claims 5, 11, 17, Cormier discloses the claimed detecting and transmitting unit includes a detecting circuit for receiving pressure information from the pressure sensor and for producing an electrical signal, which is met by both the first connection hose 30 and the second connection hose 50 connect into a stamped steel housing 60 and convey the respective air pressure signals from the tires (col. 5, lines 58-65). The transmitter 40 connected at the double hub tire 45 includes a transmitting antenna 70 to provide for transmitting an alert signal, to a receiver display unit 10, signifying either an over or under pressure condition in one of the two tires (col. 6, lines 1-21).

In reference to claims 6, 12, 18, Cormier discloses the claimed detecting and transmitting unit includes a transmitting circuit for transmitting the electrical signal from the detecting circuit as a radio wave, which is met by a first receiving antenna 125, of the multiple frequency receiver

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display unit 100, intercepts the radio signal from the single rim wheel transmitter 10 or double rim wheel transmitter 40 (col. 6, lines 22-49).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 2, 8, and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cormier, Sr.

In reference to claims 2, 8, 14, although Cormier does not specifically disclose the claimed hollow member disposed along a spoke of the wheel portion, he does disclose a both the first connection hose 30 and the second connection hose 50 connect into a stamped steel housing 60 and convey the respective air pressure signals from the tires (col. 5, lines 58-65). The hose of the transmitter 10 connect to a conventional tire valve 20 as well as to the hub tire 15 (col. 5, lines 25-47; Figure 1). Since Cormier discloses a hose that's connected from the valve of the tire to the hub of the tire, it would have been obvious to one of ordinary skill in the art at the time of the invention to place the hollow member (hose) along a spoke of a wheel, if the wheel includes spokes, to ensure that the transmitting device will be secured to the wheel.


6. The prior art of record and not relied upon is considered pertinent to the applicant's disclosure as follows. Williams (US Pat. 5,109,213), Adams (US Pat. 5,491,465), and Juzswik et al. (US Pat. 6,384,720 B1), which are references that include tire pressure devices.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Davetta W. Goins whose telephone number is 703-306-2761. The examiner can normally be reached on Mon-Fri with every other Fri. off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel Wu can be reached on 703-308-6730. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Davetta W. Goins
Primary Examiner
Art Unit 2632


D.W.G.
April 19, 2004